

ORDINANCE NO. 05-06

ORDINANCE OF THE BOARD OF COMMISSIONERS OF COLUMBIA COUNTY, GEORGIA ADDING TO CHAPTER 90, ZONING OF THE CODE OF ORDINANCES, A NEW SECTION UNDER ARTICLE III, COMMERCIAL, INDUSTRIAL, PROFESSIONAL, SPECIAL, PLANNED UNIT DEVELOPMENT AND PLANNED DEVELOPMENT DISTRICTS TO BE DESIGNATED AS SECTION 90-99, CORRIDOR PROTECTION OVERLAY DISTRICT; TO AMEND SECTION 90-140 OF THE CODE BY ADDING THERETO A NEW SUBSECTION (a)(4) DEALING WITH REQUIRING A HEDGE; AND BY AMENDING SECTION 90-141, TREE PROTECTION SUBSECTION (f) TREE DENSITY REQUIRED OF THE CODE; TO PROVIDE FOR AN EFFECTIVE DATE AND TO REPEAL ANY CONFLICTING ORDINANCES

THIS ORDINANCE adopted by the Board of Commissioners of Columbia County, Georgia (the "Board").

WHEREAS, the Board desires to establish a Corridor Protection Overlay District ("CPOD") to be imposed as the Board of Commissioners shall determine on various thoroughfares within the unincorporated area of Columbia County to encourage the creation of a corridor with a unique identity and to protect public health, safety and welfare through the preservation of the County's transportation corridors;

NOW, THEREFORE, BE IT ORDAINED by the Board, and it is hereby ordained by authority of the same as follows:

Section 1. Addition of Section 90-99. There is hereby added to the Code of Ordinances of Columbia County, Georgia as part of Chapter 90, Zoning, Article III, Commercial, Industrial, Professional, Special, Planned Unit Development and Planned Development Districts, a new section to be designated as Section 90-99 reading as follows:

Sec. 90-99. Corridor Protection Overlay District

(a) A Corridor Protection Overlay District (CPOD) can be established to provide for and encourage the creation of a corridor with a unique identity, and to protect public health, safety and welfare through the preservation of the county's transportation corridors. The adoption of standards in a CPOD for screening, landscaping and aesthetics is necessary to ensure that future development will not degrade the character of these transportation corridors and will maintain or enhance the aesthetics and function of these transportation corridors and their ability to serve as cultural assets for the residents and visitors of Columbia County. Urban design features such as lighting, coordinated signage, street furniture and landscaping should be used to provide visual cues that tie the transportation corridor together. The screening and landscaping

requirements within a CPOD are important in protecting motorists by limiting distracting visual clutter and promoting corridor appearance and character. The intent of the design review process is to assure respect for the character, integrity and quality of the built environment of a CPOD; it is not intended to stifle compatible innovative architecture or beneficial economic development.

(b) Property located in a CPOD shall be subject to the requirements, restrictions and limitations for the zoning district in which each property is located subject to modifications made thereto by the requirements, restrictions and limitations set forth for a CPOD. Such property shall also be subject to the requirements, restrictions and limitations as herein set out which apply to a CPOD.

(c) Property located in a CPOD shall be subject to the following requirements:

1. The building exterior elevation requirements stipulated in Section 90-96(c)(1) of the Code, but excluding the provisions of that section pertaining to openings, arcades and setbacks.
2. The provisions of Section 90-96(c)(2) of the Code pertaining to roofs, (3) pertaining to gutters, (5) pertaining to doors, except that all commercial buildings may be allowed overhead doors on the sides regardless of building size and single-family residences are exempt from this requirement, (7) pertaining to fences and landscaping walls, (8) pertaining to outbuildings and accessory structures, (10) pertaining to screening of mechanical equipment, garbage equipment and similar objects, except single-family residences are exempt from this requirement, and (11) pertaining to screening of loading and delivery areas.
3. Outdoor display of merchandise is limited to 20% of the entire area of a property. The percentage of area dedicated to outdoor display of merchandise may be increased up to the entire area of a property if no more than 10% of the entire property is dedicated to outdoor display which is visible from the main thoroughfare running through the CPOD with the remainder of the outdoor display being screened from view from the main thoroughfare in the CPOD by a building, privacy fence and/or wall meeting all CPOD standards. Products for outdoor display visible from the main thoroughfare in a CPOD may not be metal sheds, metal buildings or similar metal structures. These outdoor display provisions shall not apply to automobile and truck sales and rentals.

(d) In order not to stifle compatible innovative architecture or beneficial economic development, the Columbia County Planning Commission may review site plans, building plans and landscape/tree protection plans for any project in a CPOD which do not meet the standards and requirements

of this section, and may approve variations from those standards and requirements if the planning commission finds that the variations permitted will not materially alter the unique identity and character of the CPOD, materially interfere with the architectural compatibility and aesthetic harmony of structures located within the CPOD or otherwise materially adversely affect the appearance or environment of the CPOD. Prior to approving such a variation, the Columbia County Planning Commission shall hold a public hearing advertised in the same manner as a public hearing for a variance application under section 90-179(c) of this chapter. Any person who appears at such public hearing and supports a position contrary to the actions taken by the planning commission may appeal the action of the planning commission to the board of commissioners of Columbia County by filing a written notice of such appeal with the clerk of the board of commissioners and the Director of the Columbia County Planning and Development Services Division. The notice of appeal must be so filed within seven days of the date of the meeting at which the planning commission voted to take the action being appealed from. The board of commissioners shall hear such appeal at a regular or special meeting within 30 days of the date the notice of appeal is filed. The action of the board of commissioners shall be final.

(e) The Board of Commissioners may create one or more CPODs within the unincorporated area of Columbia County by adopting an amendment or amendments to this section describing the boundaries of the CPOD being created, giving the CPOD a name and directing that it be shown by such name on the then-current official zoning map of Columbia County.

Section 2. Amendment of Section 90-140. Landscaping. There is hereby added to the Code of Ordinances of Columbia County, Georgia as part of Chapter 90, Article IV, Supplemental Requirements, Section 90-140(a), Landscaping, a new subsection to be designated as Subsection (4), the following:

(a)(4). Industrial, commercial and multi-family residential property located in a CPOD shall plant an evergreen hedge in a landscaping strip at least ten (10) feet in width along the entire road frontage of the property. This hedge shall be continuous, except for ingress and egress points to the property, and reach a 30" height within two growing seasons from the date of planting. Thereafter, such hedge must be continuously maintained at a height of not less than 30 inches. This landscaping strip may cover the same area in front of parking lots as the landscaping strip required in (a)(1) of this Section.

Section 3. Amendment of Section 90-141, Tree Protection (f) Tree Density Required. Section 90-141(f) of the Code of Ordinances of Columbia County, Georgia is amended by deleting from the beginning of subsection (f) through the chart of the required aggregate caliper inches per acre of trees in its entirety and inserting in lieu thereof the following:

(f) *Tree density required.* Each tract of land on which improvements are constructed shall have provided and continually maintained thereon trees measuring in the aggregate the following caliper inches per acre:

	Within the ETCOD or any CPOD	Outside the ETCOD or any CPOD
Multifamily zoning districts:	105	70
Professional zoning districts:	75	50
Commercial zoning districts:	75	50
Industrial zoning districts:	37.5	25

Section 4. Effective Date. This Ordinance shall become effective upon its adoption.

Section 5. Conflicting Ordinances. Any Ordinances or portions of Ordinances in conflict with this Ordinance are hereby repealed to the extent necessary to eliminate such conflict.

ADOPTED June 7, 2005, following approval on a first and second reading.

BOARD OF COMMISSIONERS OF
COLUMBIA COUNTY, GEORGIA

By: Ron C. Cross
Its Chairman

Attest: Phebe J. Dent
Its Clerk

[COUNTY SEAL]

CLERK'S CERTIFICATE

I, Phebe Dent, Clerk of the Board of Commissioners of Columbia County, Georgia, (the "Board") DO HEREBY CERTIFY that the foregoing pages of typewritten matter constitute a true and correct copy of an Ordinance, adopted by the Board of Commissioners on its second and final reading at a regular meeting of the Board of Commissioners duly held on June 7, 2005 at 6:30 p.m., the first reading having been at a regular meeting of the Board of Commissioners duly held on May 17, 2005 at 6:30 p.m. both of which meetings were open to the public and in which a quorum was present and acting throughout, and that the original of said Ordinance appears of record in the Ordinance Book of the Board and has been placed onto a CD Rom, which is in my custody and control. It will also be microfilmed as part of the Board of Commissioners minutes.

Given under my hand and seal of the Board, this 7th day of June, 2005.

Phebe J. Dent
CLERK, BOARD OF COMMISSIONERS
OF COLUMBIA COUNTY, GEORGIA